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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/705,858	11/03/2000	Felix G.T.I. Andrew	205350	6381

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EXAMINER

ZHEN, LI B

ART UNIT	PAPER NUMBER
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2126

DATE MAILED: 12/11/2003

4

Please find below and/or attached an Office communication concerning this application or proceeding.

✓

Office Action Summary

Application No.

09/705,858

Applicant(s)

ANDREW ET AL.

Examiner

Li B. Zhen

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 September 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claim 13 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Applicant recites the limitations "determining the priority to assign the notification comprises the step of determining a number of times the user is provided notification" in claim 13. There does not appear to be a written description of the claimed limitation in the application as filed.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1 – 4, 6, 10, 11, 13 – 23 and 30 – 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,412,021 to Nguyen in view of U.S. Patent No. 6,542,868 to Badt.

As to claim 15, Nguyen teaches determining a notification classification [notification class instance interprets the type of event from the event ID and handles the event as appropriate; column 4, lines 65 – 67], and rendering the notification in accordance with the notification classification [Each applet event is an instance of an applet event class, and contains an event ID...the event ID is used by an event handler to classify the type of event for use in determining an appropriate response to the event; column 12, lines 20 – 40]. Nguyen does not specify providing notification in accordance with user specified priority.

However, Badt teaches providing notification [setting a priority level of a notification arriving into a queue...inserting the notification into a position in the queue based upon the priority level of the notification...selecting a notification at the queue top; col. 2, lines 28 – 39] in accordance with user specified priority [assigned priority level can be determined by one or more properties of the notification, message, user, or computer system, such as the type of notification, the content of the message, a user profile; col. 4, lines 29 – 40].

It would have been obvious to a person of ordinarily skilled in the art at the time of the invention of apply the teaching of providing notification in accordance with user specified priority as taught by Badt to the invention of Nguyen because this would allow the user to specify what type of events that the user wants to be notified of first.

As to claim 1, Nguyen teaches receiving a notification to provide to a user [applet 602 and notification class 601 need to interface to provide feedback to a user about a change of state, applet 602 communicates by sending applet events to notification class

601; column 11, line 65 – column 12, line 12], deciding a notification type [notification class instance interprets the type of event from the event ID and handles the event as appropriate; column 4, lines 65 – 67], and rendering the notification in accordance with the notification type [Each applet event is an instance of an applet event class, and contains an event ID...the event ID is used by an event handler to classify the type of event for use in determining an appropriate response to the event...the response to an applet event entails one or more forms of user notification, such as changing the button icon in the selection bar, setting a fixed or flashing glyph on the button icon, displaying a message in a dialog box, or playing an audio clip; column 12, lines 20 – 40]. As to determining a priority to assign the notification based on a user specified priority, see the rejection to claim 15 above.

As to claim 2, Nguyen teaches determining a notification medium to render the notification [a possible response to an applet event indicating receipt of new mail is to call a setIcon () method to change the image of the button icon in the selection bar to indicate that new mail has arrived...other notification methods may be called by the event handler of notification class 601 in response to specific events include setFlashingGlyph (), setFixedGlyph (), playAudioClip () and showMessageDialog (), Fig. 6; column 12, lines 20 – 40].

As to claim 3, Nguyen teaches determining an area on a display to render the notification [a possible response to an applet event indicating receipt of new mail is to call a setIcon () method to change the image of the button icon in the selection bar to indicate that new mail has arrived...other notification methods may be called by the

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event handler of notification class 601 in response to specific events include setFlashingGlyph (), setFixedGlyph (), playAudioClip () and showMessageDialog (), Fig. 6; column 12, lines 20 – 40]. The location can be either in the selection bar or a dialog box.

As to claim 4, Nguyen teaches receiving a property of the notification, and receiving a notification to be sent to the user [Each applet event is an instance of an applet event class, and contains an event ID...event ID is used by an event handler to classify the type of event for use in determining an appropriate response to the event; column 12, lines 20 – 40].

As to claim 6, Nguyen teaches selecting one of a display notification [a setIcon () method to change the image of the button icon in the selection bar to indicate that new mail has arrived...setFlashingGlyph (), setFixedGlyph (), and showMessageDialog (); column 12, lines 20 – 40] and an audio notification [playAudioClip (); column 12, lines 20 – 40].

As to claims 10 and 11, Nguyen teaches queuing the notification [applet 602 is able to generate applet events, such as applet event 603, and place those events on event queue 613 of notification class 601, Fig. 6B; column 12, lines 13 – 19]. As to the queue arranged according to the priority of the notification, see the rejection to claim 15 above.

As to claim 13 [see also the 112 rejection above], Nguyen as modified teaches determining the priority to assign the notification comprises the step of determining a

number of times the user is provided notification [if the new notification is a repeat notification, the interface compares the notification priorities; col. 5, lines 5 – 30 of Badt].

As to claim 14, Nguyen teaches determining a notification classification of the notification [notification class instance interprets the type of event from the event ID and handles the event as appropriate; column 4, lines 65 – 67], a user preference list [a configuration file...contains information associated with...the location of the code for the notification class; column 4, lines 38 – 52], and rendering the notification if the notification classification is listed in the list of selected classifications [type of event may be determined from the event ID...if the event is not a notification event, the event is handled in step 811...if the event in step 808 is a notification event, the state of the notification class is updated, if needed, in step 809 based on the specific event...in step 810, user notification is performed; col. 13, lines 35 – 50].

As to claim 16, Nguyen teaches rendering the notification in the notification medium in accordance with the notification classification [Each applet event is an instance of an applet event class, and contains an event ID...the event ID is used by an event handler to classify the type of event for use in determining an appropriate response to the event...the response to an applet event entails one or more forms of user notification, such as changing the button icon in the selection bar, setting a fixed or flashing glyph on the button icon, displaying a message in a dialog box, or playing an audio clip; column 12, lines 20 – 40].

As to claim 17, Nguyen teaches rendering the notification accordance with a user preference [configuration files list the button icons to be displayed in the selection bar

and provide information associated with each button icon... Identification of the button icons, or buttons, to be included in the selection bar may be provided as a property in a configuration file; column 10, lines 39 – 47].

As to claim 18, Nguyen teaches the user preference [configuration file; column 10, lines 45 – 67], positional location being a location on a display where the notification is to be displayed [see the rejection to claim 3 above], the classification size being an area in a display area where the notification is to be displayed [type of display mode; column 10, line 56 – column 11, line 2], determining if the classification enable is enabled for the notification classification, and if the classification enable is enabled for the notification classification [type of event may be determined from the event ID...if the event is not a notification event, the event is handled in step 811...if the event in step 808 is a notification event, the state of the notification class is updated, if needed, in step 809 based on the specific event...in step 810, user notification is performed; col. 13, lines 35 – 50], rendering the notification at the positional location and at a size equal to the classification size [the event ID is used by an event handler to classify the type of event for use in determining an appropriate response to the event...the response to an applet event entails one or more forms of user notification, such as changing the button icon in the selection bar, setting a fixed or flashing glyph on the button icon, displaying a message in a dialog box, or playing an audio clip; column 12, lines 20 – 40]. Examiner notes that the notification events are enables and non-notification events are disabled.

As to claims 19 and 20, Nguyen teaches selecting one of a contact classification [a setIcon () method to change the image of the button icon in the selection bar to

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indicate that new mail has arrived... setFlashingGlyph (), setFixedGlyph (), and showMessageDialog (); column 12, lines 20 – 40], a financial classification [calendar applet can display a small pop-up window with appointment information; column 9, lines 46 – 59], and an audio classification [playAudioClip (); column 12, lines 20 – 40].

As to claim 21, Nguyen as modified teaches sending a pre-notification notification prior to performing the step of rendering the notification [system notifies the user of the selected notification prior to playing the message corresponding to the selected notification; col. 2, lines 5 – 15 of Badt].

As to claim 22, Nguyen as modified teaches converting a text message into an audio [text-to-speech] message [messages may be predefined scripts, text-to-speech, or recorded audio; col. 4, lines 1 – 15 of Badt].

As to claim 23, Nguyen teaches rendering the notification using the rendering type [configuration files list the button icons to be displayed in the selection bar and provide information associated with each button icon... Identification of the button icons, or buttons, to be included in the selection bar may be provided as a property in a configuration file; column 10, lines 39 – 47].

As to claim 30, Nguyen as modified teaches performing at least one action [play message] if the notification is selected by a user selection [microphone] device [interface notifies the user of a selected notification, and it queries the user as to whether the message corresponding to the selected notification should be played...user responds to the query by speaking into the microphone 30; col. 5, lines 60 – 67 of Badt].

As to claim 31, Nguyen as modified teaches performing at least one action if one of a keyword and a key-phrase is spoken by a user [audio signals received by the computer are conventionally provided to the speech recognition engine application 26 via the computer operating system 24 in order to perform speech recognition functions; col. 3, lines 38 – 50 of Badt].

As to claim 32, Nguyen teaches rendering the notification in one of a long version [showMessageDialog () to display a message in a dialog box; column 13, lines 35 – 50 and column 9, lines 45 – 60] and a short version [a seticon () method to display the updated clock images on the associated button icon... other examples of notification methods that could be invoked are setFixGlyph () to set a glyph on the button icon; column 13, lines 35 – 50 and column 9, lines 45 – 60].

5. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nguyen and Badt in view of U.S. Patent No. 6,144,942 to Ruckdashel.

As to claim 9, see the rejection to claim 6 with regards to selecting one of one of a display notification and an audio notification. Nguyen as modified does not appear to teach a pager notification.

However, Ruckdashel teaches a method of event notification using a pager [boxes 713 and 715 relate to other methods, email and wireless messaging device or pager, of notifying the user as the specified appointment approaches; column 5, lines 20 – 36].

It would have been obvious to a person of ordinary skill in the art at the time of the invention to apply the teaching of a pager notification as taught by Ruckdashel to

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the invention of Nguyen as modified because pager notification allows a user who is away from their computer to be notified of an event.

6. Claims 12 and 26 – 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nguyen and Badt in view of U.S. Patent No. 5,950,211 to Shealy.

As to claims 12, 26 and 27, Nguyen as modified does not teach a history of notifications.

However, Shealy teaches a history of notifications [history log data structure; column 3, lines 5 – 13; column 3, line 43 – column 4, line 5], flushing read items from the history that have been read by a user, and flushing old items [removing oldest notes] from the history [Limit the number of notes in the history kept for each message block to <notes/mblk>...trim all existing message block histories to a maximum of <notes/mblk> notes by removing the oldest notes; col. 11, lines 35 – 67].

It would have been obvious to a person of ordinary skill in the art at the time of the invention to apply the teaching of history of notifications as taught by Shealy to the invention of Nguyen as modified because this would provide a log of old notifications that have been processed.

As to claims 28 and 29, Nguyen as modified teaches displaying the history [Utility 90 permits user interface with the driver...to obtain history log information in the form of a report 92, Fig. 2; column 3, lines 43 – 50 of Shealy], and performing at least one action if a notification in the history is selected by a user [utility 90 permits user interface with the driver; col. 3, lines 40 – 67 of Shealy] selection device [interface utility 90 is preferably utilized to configure the device driver and to process collected

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information...each argument to the utility implies an operation, and the operations are performed in the order that the arguments are given on the command line; column 11, lines 33 – 45 of Shealy]. Examiner notes that the term action is very broad and the limitation would read on generating a report is generated or clearing all of the collected information [col. 11, lines 33 – 45 of Shealy].

7. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nguyen and Badt in view of U.S. Patent No. 6,405,204 to Baker.

As to claim 5, Nguyen as modified teaches displaying HTML documents [column 10, lines 47 – 67; column 8, lines 15 – 27 of Nguyen] but does not teach XML-based notification.

However, Baker teaches providing news alerts to users [col. 3, lines 10 – 35] using XML-based notification [users can also specify a format for each alert, for example, text, HTML, or XML; col. 17, lines 40 – 50].

It would have been obvious to a person of ordinarily skilled in the art at the time of the invention to apply the teaching of XML-based notifications as taught by Baker to the invention of Nguyen as modified because XML documents tie services and application server events together in a meaningful way, forming a coherent set of applications.

8. Claims 7, 8, 24 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nguyen and Badt in view of U.S. Patent No. 6,317,128 to Harrison.

As to claims 7, 8, 24 and 25, Nguyen as modified teaches selecting one of [a possible response to an applet event indicating receipt of new mail is to call a setIcon ()

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method to change the image of the button icon in the selection bar to indicate that new mail has arrived...other notification methods may be called by the event handler of notification class 601 in response to specific events include setFlashingGlyph (), setFixedGlyph (), playAudioClip () and showMessageDialog (), Fig. 6; column 12, lines 20 – 40 of Nguyen], a transient display [showMessageDialog()], an animated display [calendar applet can display a small pop-up window with appointment information, and the clock can animate to display the time; column 9, lines 45 – 57 of Nguyen] and a normal display [pop-up window]. Examiner notes that dialog boxes are generally transient. Nguyen as modified does not teach an alpha-blended display.

However, Harrison teaches variably transparent objects such as menus, tool palettes, windows, and dialogue boxes [see abstract]. Harrison also teaches generating semi-transparent objects [alpha-blended display] to blend a background color intensity with the color intensity of the image below a foreground object [col. 7, line 60 – col. 8, line 5].

It would have been obvious to a person of ordinarily skilled in the art at the time of the invention to apply the teaching of an alpha-blended display as taught by Harrison to the invention of Nguyen as modified because variably-transparent GUIs allow multiple object image layers to be simultaneously observed [col. 2, lines 38 – 50 of Harrison].

Response to Arguments

Applicant argues, "...receiving an event and determining an appropriate response to the event is not the same as receiving a notification to provide to a user and

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rendering the notification because the event is not received to provide to a user" (p. 11, lines 2 – 4). The examiner respectfully disagrees because Nguyen clearly teaches the applet provides feedback to a user about a change of state [column 11, line 65 – column 12, line 12] and the notification class receives the event from the applet and displays the event to the user [user notification] according to the event type [the event ID is used by an event handler to classify the type of event for use in determining an appropriate response to the event...the response to an applet event entails one or more forms of user notification; column 12, lines 20 – 40].

In response to the applicant's arguments on p. 12, line 23 – p. 13, line 5, Nguyen teaches the configuration file contains the location of the notification class [a configuration file...contains information associated with...the location of the code for the notification class; column 4, lines 38 – 52], determining the type of event, and rendering the event only if it is a notification event [type of event may be determined from the event ID...if the event is not a notification event, the event is handled in step 811...if the event in step 808 is a notification event, the state of the notification class is updated, if needed, in step 809 based on the specific event...in step 810, user notification is performed; col. 13, lines 35 – 50]. The configuration determines the type of notifications supported by identifying the location of the classification class.

Applicant argues that the "...rendering styles...in Nguyen do not teach or suggest a long version and a short version of a notification" (p. 14, lines 5 – 7) but fails to explain how the examiner's mapping of the claims does not read on the limitations. The examiner interprets a long version as a lengthy message notification and a short version

as a notification that does not require reading a lengthy message. Nguyen teaches [col. 9, lines 45 – 60] rendering a notification by displaying a message in a dialog box or changing the button icon image for an application. For example, when new electronic mail has arrived, the button icon can change to signal new mail has arrived [short version] or a dialog box containing the message that new mail has arrived can be displayed [long version]. The examiner respectfully submits that features recited on p. 18, line 17 – p. 19, line 9 of the specification are not clearly brought out in the claims.

Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Li B. Zhen whose telephone number is (703) 305-3406. The examiner can normally be reached on Mon - Fri, 8am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A. Follansbee can be reached on (703) 305-8498. The fax phone number for the organization where this application or proceeding is assigned is (703) 746-7239.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.



**JOHN FOLLANSBEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100**

Li B. Zhen
Examiner
Art Unit 2126

lbz
December 2, 2003